

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:21-CR-00269-FDW-DCK**

UNITED STATES OF AMERICA

v.

ANTHONY D. WILLIAMS,

Defendant.

)
)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on Defendant's *pro se* motions for an emergency injunction (Doc. No. 3), to expedite a hearing for his temporary release (Doc No. 13), and for compassionate release (Doc Nos. 6 and 7). For the reasons set forth below, Defendant's Motions are **DENIED**.

The Court has scheduled a final hearing regarding revocation of supervised release as to Defendant Anthony D. Williams for Monday, January 8, 2024. Therefore, Defendant's motions for an emergency injunction and to expedite a hearing for his temporary release are **DENIED** as **MOOT**.


Defendant is not entitled to relief under 18 U.S.C. § 3582(c)(1)(A). Informally known as the "compassionate release" statute, Section 3582(c)(1)(A) permits a defendant to seek a modification of his sentence for "extraordinary and compelling reasons." *Id.* § 3582(c)(1)(A). This remedy is only available "upon motion of the Bureau of Prisons" or if the defendant has "fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." *Id.* § 3582(c)(1)(A). Relief under this statute is not available to Defendant because he is not serving a sentence in the custody of the Bureau of

Prisons. He is detained pending a final hearing regarding revocation of his supervision. In sum, Defendant's lacks standing under the statute.

IT IS THEREFORE ORDERED that Defendant's Motions for an emergency injunction (Doc. No. 3), to expedite a hearing for his temporary release (Doc. No. 13), and for compassionate release (Doc. Nos. 6 and 7) are denied.

IT IS SO ORDERED.

Signed: January 4, 2024


Frank D. Whitney
United States District Judge